

ASSEMBLY BILL

No. 503

Introduced by Assembly Member Furutani

February 24, 2009

An act to amend Section 124250 of the Health and Safety Code, relating to domestic violence.

LEGISLATIVE COUNSEL'S DIGEST

AB 503, as introduced, Furutani. Battered women's shelters: grant program.

Existing law requires the Maternal and Child Health Branch of the State Department of Public Health to administer a comprehensive shelter-based services grant program to battered women's shelters, and requires the department, in implementing that program, to consult with an advisory council that remains in existence until January 1, 2010, in the administration of the grant program.

This bill would extend the period during which the advisory council would remain in existence to January 1, 2014.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 124250 of the Health and Safety Code
- 2 is amended to read:
- 3 124250. (a) The following definitions shall apply for purposes
- 4 of this section:
- 5 (1) "Domestic violence" means the infliction or threat of
- 6 physical harm against past or present adult or adolescent female

1 intimate partners, and shall include physical, sexual, and
2 psychological abuse against the woman, and is a part of a pattern
3 of assaultive, coercive, and controlling behaviors directed at
4 achieving compliance from or control over, that woman.

5 (2) “Shelter-based” means an established system of services
6 where battered women and their children may be provided safe or
7 confidential emergency housing on a 24-hour basis, including, but
8 not limited to, hotel or motel arrangements, haven, and safe houses.

9 (3) “Emergency shelter” means a confidential or safe location
10 that provides emergency housing on a 24-hour basis for battered
11 women and their children.

12 (b) The Maternal and Child Health Branch of the State
13 Department of Public Health shall administer a comprehensive
14 shelter-based services grant program to battered women’s shelters
15 pursuant to this section.

16 (c) The Maternal and Child Health Branch shall administer
17 grants, awarded as the result of a request for application process,
18 to battered women’s shelters that propose to maintain shelters or
19 services previously granted funding pursuant to this section, to
20 expand existing services or create new services, and to establish
21 new battered women’s shelters to provide services, in any of the
22 following four areas:

23 (1) Emergency shelter to women and their children escaping
24 violent family situations.

25 (2) Transitional housing programs to help women and their
26 children find housing and jobs so that they are not forced to choose
27 between returning to a violent relationship or becoming homeless.
28 The programs may offer up to 18 months of housing, case
29 management, job training and placement, counseling, support
30 groups, and classes in parenting and family budgeting.

31 (3) Legal and other types of advocacy and representation to help
32 women and their children pursue the appropriate legal options.

33 (4) Other support services for battered women and their children.

34 (d) (1) The Maternal and Child Health Branch of the State
35 Department of Public Health shall conduct a minimum of one site
36 visit per grant term to each agency funded to provide shelter-based
37 services to battered women and their children. The purpose of the
38 site visit shall be a performance assessment of, and technical
39 assistance for, each agency visited. The performance assessment

1 shall include, but need not be limited to, a review of all of the
2 following:

- 3 (A) Progress in meeting program goals and objectives.
- 4 (B) Agency organization and facilities.
- 5 (C) Personnel policies, files, and training.
- 6 (D) Recordkeeping, budgeting, and expenditures.
- 7 (E) Documentation, data collection, and client confidentiality.

8 (2) Subsequent to each site visit conducted under paragraph (1),
9 the Maternal and Child Health Branch shall provide a written report
10 to the agency summarizing the agency's performance, any
11 deficiencies noted, and any corrective action needed.

12 (3) If an agency receives funding from both the Maternal and
13 Child Health Branch of the State Department of Public Health and
14 the Domestic Violence Program in the Office of Emergency
15 Services during any grant cycle, the Maternal and Child Health
16 Branch and the Comprehensive Statewide Domestic Violence
17 Program shall, to the extent feasible, coordinate agency site visits
18 and share performance assessment data with the goal of improving
19 efficiency, eliminating duplication, and reducing administrative
20 costs.

21 (e) In implementing the grant program pursuant to this section,
22 the State Department of Public Health shall consult with an
23 advisory council that shall remain in existence until January 1,
24 ~~2010~~ 2014. The council shall be composed of not to exceed 13
25 voting members and two nonvoting ex officio members appointed
26 as follows:

- 27 (1) Seven members appointed by the Governor.
- 28 (2) Three members appointed by the Speaker of the Assembly.
- 29 (3) Three members appointed by the Senate Committee on
30 Rules.

31 (4) Two nonvoting ex officio members who shall be Members
32 of the Legislature, one appointed by the Speaker of the Assembly
33 and one appointed by the Senate Committee on Rules. Any
34 Member of the Legislature appointed to the council shall meet
35 with, and participate in the activities of, the council to the extent
36 that participation is not incompatible with his or her position as a
37 Member of the Legislature.

38 The membership of the council shall consist of domestic violence
39 advocates, battered women service providers, and representatives
40 of women's organizations, law enforcement, and other groups

1 involved with domestic violence, and at least one representative
2 of service providers serving the lesbian, gay, bisexual, and
3 transgender community for purposes of domestic violence. At least
4 one-half of the council membership shall consist of domestic
5 violence advocates or battered women service providers from
6 organizations such as the California Partnership to End Domestic
7 Violence.

8 It is the intent of the Legislature that the council membership
9 reflect the ethnic, racial, cultural, and geographic diversity of the
10 state.

11 (f) The department shall collaborate closely with the council in
12 the development of funding priorities, the framing of the Request
13 for Proposals, and the solicitation of proposals.

14 (g) (1) The Maternal and Child Health Branch of the State
15 Department of Public Health shall administer grants, awarded as
16 the result of a request for application process, to agencies to
17 conduct demonstration projects to serve battered women and their
18 children, including, but not limited to, creative and innovative
19 service approaches, such as community response teams and pilot
20 projects to develop new interventions emphasizing prevention and
21 education, and other support projects identified by the advisory
22 council.

23 (2) For purposes of this subdivision, “agency” means a state
24 agency, a local government, a community-based organization, or
25 a nonprofit organization.

26 (h) It is the intent of the Legislature that services funded by this
27 program include services for battered women in underserved
28 communities, including the lesbian, gay, bisexual, and transgender
29 community, and ethnic and racial communities. Therefore, the
30 Maternal and Child Health Branch of the State Department of
31 Public Health shall do all of the following:

32 (1) Fund shelters pursuant to this section that reflect the ethnic,
33 racial, economic, cultural, and geographic diversity of the state.

34 (2) Target geographic areas and ethnic and racial communities
35 of the state whereby, based on a needs assessment, it is determined
36 that no shelter-based services for battered women exist or that
37 additional resources are necessary.

38 (i) The director may award additional grants to shelter-based
39 agencies when it is determined that there exists a critical need for
40 shelter or shelter-based services.

1 (j) As a condition of receiving funding pursuant to this section,
2 battered women's shelters shall do all of the following:

3 (1) Provide matching funds or in-kind contributions equivalent
4 to not less than 20 percent of the grant they would receive. The
5 matching funds or in-kind contributions may come from other
6 governmental or private sources.

7 (2) Ensure that appropriate staff and volunteers having client
8 contact meet the definition of "domestic violence counselor" as
9 specified in subdivision (a) of Section 1037.1 of the Evidence
10 Code. The minimum training specified in paragraph (2) of
11 subdivision (a) of Section 1037.1 of the Evidence Code shall be
12 provided to those staff and volunteers who do not meet the
13 requirements of paragraph (1) of subdivision (a) of Section 1037.1
14 of the Evidence Code.